

002-360

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHERYLL CLEWETT, STEVE BAUS, and AVATAR OJAR individually and on behalf of all other similarly situated,)	
)	
Plaintiffs)	Case No. 1:22-CV-06032
)	
v.)	Honorable Andrea R. Wood
NATIONAL POLICE & SHERIFFS)	
COALITION PAC, et. al.,)	
)	
Defendants)	

**DEFENDANT FRANK PULCIANI'S ANSWERS TO PLAINTIFF STEVE BAUS' FIRST
SET OF REQUESTS FOR PRODUCTION**

NOW COMES the Defendant, FRANK PULCIANI, by and through his attorneys,
ANDREOU & CASSON, LTD., and in response to Plaintiff Steve Baus' First Set of
Interrogatories, states as follows:

DOCUMENT REQUESTS

1. Please produce all non-attorney-client-privileged documents identified in or used to
research or draft your responses to interrogatories in this case.

RESPONSE: None.

2. Please produce all documents supporting or contradicting any answer or statement made
in any answer by you to any complaint in this case.

RESPONSE: None.

3. Please produce all documents related to Plaintiff Baus, including, but not limited to, all
documents evidencing your relationship with Plaintiff Baus or calls made to or received
from Plaintiff Baus.

RESPONSE: None.

4. Please produce all documents associated with Pledge # 90-45-26094.

**EXHIBIT
C**

RESPONSE: None.

5. Please produce all documents relating to any failure by an employee or a vendor to abide by your policies or procedures relating to utilizing an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence.

RESPONSE: None.

6. Please produce all documents relating to complaints concerning calls using an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence including, but not limited to, lists or databases containing complaints about them, and information identifying the complainants. This request includes any complaints to you by mail, email, live call, IVR, SMS, web form, social media, FCC, FTC, CFPB, state attorney general, BBB or any other source.

RESPONSE: None.

7. All contracts or documents representing agreements with any vendors or third parties that contacted the Plaintiff.

RESPONSE: See PD000001-000006.

8. All communications with any vendors or third parties that you have a relationship with that make calls on your behalf utilizing an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence.

RESPONSE: Defendant is unaware of the existence of any such communications.

9. All communications with any vendor or third party that physically dialed calls to, or received calls from, Plaintiff Baus regarding utilizing an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence.

RESPONSE: None.

10. All internal communications regarding any third parties or vendors that you have a relationship with that make calls on your behalf, including, but not limited to, calls made with soundboard technology or artificial intelligence.

RESPONSE: None.

11. All internal communications regarding any third party or vendor that physically dialed calls to or received calls from the Plaintiff, including, but not limited to, calls made with soundboard technology or artificial intelligence.

RESPONSE: None.

12. Please produce all documents relating to insurance coverage of the acts alleged by Plaintiff, including, but not limited to, all potentially applicable policies issued by any insurer and all communications with any such insurers, including, but not limited to, reservation-of-rights letters, regardless of whether or not such coverage purports to exclude the acts alleged in this matter and regardless of whether or not such insurers have declined coverage in this matter.

RESPONSE: None.

13. Please produce all indemnification agreements under which a third party or vendor may be responsible for satisfying all or part of a judgment that may be entered against you in this action, and all communications with those third parties or vendors.

RESPONSE: None.

14. Please produce all documents related to your policies and procedures for compliance with the TCPA or the FCC's regulations thereunder and all documents necessary to construct a timeline of when each policy was in force. This request specifically includes, but is not limited to, policies related to the following:

- a) compliance with the TCPA, including, but not limited to the rules, regulations, opinions, advisories, comments or filings of the Federal Communications Commission that relate to the TCPA or 47 C.F.R. § 64.1200;
- b) obtaining or verifying consent to make prerecorded calls.

RESPONSE: None known to Defendant.

15. Please produce all documents containing any of the following information for each outbound call made using an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence sent by you or your vendors:

- a) the date and time of the call;
- b) any recorded message(s) used during the call;
- c) the result of the call;
- d) identifying information for the intended recipient;
- e) any responses to the recorded message(s) or the call;
- f) recordings and/or transcripts of such calls; and
- g) any other information stored by the call detail records.

RESPONSE: None in the possession of Defendant.

16. All communications with any third party or vendor concerning this litigation.

RESPONSE: Objection, overbroad, not relevant and not likely to lead to discoverable evidence.

17. All documents concerning your response to, or investigation into, allegations of violations of the TCPA. This request is limited to the last 5 years.

RESPONSE: Objection, irrelevant and overbroad.

18. All documents concerning the manner in which you preserve and maintain records relating to outbound telephone calls, inbound telephone calls, and alleged violations of the TCPA.

RESPONSE: None in the possession of Defendant.

19. Please produce all software manuals, instruction guides, dialer manuals and manager manuals of each and every computer system, software system, telephone system, or other device used by you or anyone acting on your behalf to make outbound calls using an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence.

RESPONSE: None in the possession of Defendant.

20. Please produce all documents discussing, addressing or related to your decision to use outbound calls that utilize an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence.

RESPONSE: None in the possession of Defendant.

21. Please produce all recordings of any telephone calls with Plaintiff Baus or other putative class members as defined in the complaint in this lawsuit.

RESPONSE: None in the possession of Defendant.

22. Please produce any and all reports generated as part of your normal operation regarding the use of outbound calls made using an artificial voice and/or prerecorded message or

messages, including, but not limited to, calls made with soundboard technology or artificial intelligence sent by you or your vendors.

RESPONSE: None in the possession of Defendant.

23. Please produce all scripts or recorded messages used in any outbound calls made using an artificial voice and/or prerecorded message or messages, including, but not limited to, calls made with soundboard technology or artificial intelligence sent by you or your vendors.

RESPONSE: None in the possession of Defendant.

24. Please produce any other documents, not covered by any previous requests that you plan to introduce at trial.

RESPONSE: Defendant has not yet determined and shall supplement.

25. Please produce all documents relating to Terry Henley.

RESPONSE: Objection, overbroad.

26. Please produce all documents and communications sent to or received from Terry Henley.

RESPONSE: Objection, overbroad.

27. Please produce all documents relating to Campaign Calling LLC or any third parties with whom you communicated regarding Campaign Calling LLC.

RESPONSE: See PulcianiPD0000001-0000006.

28. Please produce all documents sent to or received from Campaign Calling LLC or any third party with whom you communicated regarding Campaign Calling LLC.

RESPONSE: See PulcianiPD0000001-0000006.

29. Please produce all documents sent to or received from any person identified or referenced
in Interrogatory No. 9.

RESPONSE: None.

Respectfully submitted,

ANDREOU & CASSON, LTD.

By: *Luke A. Casson*

Luke A. Casson

Firm ID No. 39203
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Attorneys for Frank Pulciani
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHERYLL CLEWETT, STEVE BAUS, and AVATAR OJAR individually and on behalf of all other similarly situated,)	
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)	Case No. 1:22-CV-06032
Plaintiffs)	
)	Honorable Andrea R. Wood
v.)	
NATIONAL POLICE & SHERIFFS)	
COALITION PAC, et. al.,)	
)	
Defendants)	

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and says that I served the attached:

- **DEFENDANT FRANK PULCIANI'S ANSWERS TO PLAINTIFF STEVE BAUS' FIRST SET OF REQUESTS FOR PRODUCTION**

A true and correct copy thereof addressed to:

SEE SERVICE LIST

PROOF OF SERVICE

I, Sekoya Pelayo, a non-attorney, under penalties as provided by law pursuant to Ill. Rev. Stat. Chap. 110 Sec. 1-109, hereby certify and state that the attached documents were sent to the designated attorneys by (X) ELECTRONIC MAIL () U. S. MAIL at 661 West Lake Street, Suite 2N, Chicago, Illinois, 60661, before 5:00 p.m., with proper postage prepaid on this 5th day of October, 2023.

Andreou & Casson, Ltd.
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Chicago, Illinois 60661
312.935.2000/ **312.935.2001**

lcasson@andreou-casson.com

wcespedes@andreou-casson.com (Docket Manager)

mjensen@andreou-casson.com (Office Manager)

/s/ Sekoya Pelayo

Sekoya Pelayo

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and Steven Baus**

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COALITION PAC, et. al.,)	
)	
Defendants)	

**DEFENDANT FRANK PULCIANI'S ANSWERS TO PLAINTIFF STEVE BAUS' FIRST
SET OF INTERROGATORIES**

NOW COMES the Defendant, FRANK PULCIANI, by and through his attorneys,
ANDREOU & CASSON, LTD., and in response to Plaintiff Steve Baus' First Set of
Interrogatories, states as follows:

ANSWERS TO INTERROGATORIES

1. Identify each person who provided the information to answer interrogatories in this case
and specify the interrogatories about which each such person provided information.

**ANSWER: Frank Pulciani, c/o Andreou & Casson, Ltd., 661 West Lake St., Suite 2N,
Chicago, Illinois 60661**

2. Identify all persons involved in making outbound calls on behalf of Campaign Calling
LLC or National Police & Sheriffs Coalition PAC. This includes, but is not limited to,
calls made with soundboard technology or artificial intelligence. A complete answer will
include at least the following:
 - a. the person's full name;
 - b. the person's title;
 - c. the person's business address;
 - d. the person's telephone number;

- e. the person's email address;
- f. the person's occupation and a description of the work of such person; and
- g. a statement of whether that person is represented by defendant's counsel.

ANSWER: Unknown

- 3. Identify each employee, vendor or third-party of yours that communicated with Steve Baus.

ANSWER: I have no employees, vendors or "third parties" which communicated with Steve Baus.

- 4. Identify each employee, vendor, or third-party of yours that communicated with Cheryll Clewett.

ANSWER: I have no employees, vendors or "third parties" which communicated with Cheryll Clewett.

- 5. Identify each employee, vendor, or third-party of yours that communicated with Avatar Ojar.

ANSWER: I have no employees, vendors or "third parties" which communicated with Avatar Ojar.

- 6. Identify the last known contact information and identifying information relating to Terry Henley, including phone number, email address, business address, and residential address.

ANSWER: Unknown

- 7. Identify all communications You had with Terry Henley.

ANSWER: None

- 8. Identify all modes of communications used by You in conducting business or acting on behalf of National Police & Sheriffs Coalition PAC, including email addresses, phone

numbers (and whether any SMS messages were sent or received), messaging applications like Signal or WhatsApp, and online chats or direct message programs.

ANSWER: None

9. Identify all persons who paid you in money or in property as a result of your actions on behalf of the National Police & Sheriffs Coalition PAC, and identify the amounts paid or items of property from each such person.

ANSWER: Objection, relevance. Without waiving said objection, none.

10. If you contend that you only called persons who provided consent to receive telephone calls, including, but not limited to, calls made with soundboard technology or artificial intelligence, state all facts in support of that contention and identify the dates and the means by which you contend consent was obtained.

ANSWER: I did not place any calls.

11. Identify all organizations, associations, political action committees, charitable organizations, or other legal entities in which you have participated, and for each such entity, identify your title or position, and dates each title or position was held by you.

ANSWER: Objection, relevance.

12. Identify all persons with whom you had discussions regarding the formation, dissolution, and business of National Police & Sheriffs Coalition PAC.

ANSWER: Objection, attorney client privilege.

13. Identify all employees, representatives, agents, officers, and principals of National Police & Sheriffs Coalition PAC.

ANSWER: None. NPSC PAC is no longer a going concern.

14. Identify all persons who you have reason to believe are or were employees, representatives, agents, officers, and principals of Campaign Calling, LLC.

ANSWER: Unknown

15. Identify all locations you have reason to believe are or were the offices and places of business where Campaign Calling, LLC operated or conducted business.

ANSWER: The registered address known to me is Campaign Calling, LLC 1309 Coffeen Ave Ste 1200, Sheridan, WY 82801

16. Identify all documents and communications exchanged between you and any employee, representative, agent, officer, and principal of Campaign Calling, LLC.

ANSWER: None.

17. Identify all complaints received by you that refer or relate to unsolicited calls, including, but not limited to, calls made with soundboard technology or artificial intelligence.

ANSWER: I have never received any complaints.

18. Identify all devices, accounts, locations, databases, and files searched and detail the searches performed for the documents requested in these Discovery Requests. Include in your response any devices, accounts, locations, databases, and files that had potentially responsive information that has been deleted, lost, altered, encrypted, or transferred.

ANSWER: None.

002-360

**UNITED STATES DISTRICT COURT
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CHERYLL CLEWETT, STEVE BAUS, and AVATAR OJAR individually and on behalf of all other similarly situated,)	
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Plaintiffs)	Honorable Andrea R. Wood
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v.)	
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)	
Defendants)	

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and says that I served the attached:

- **DEFENDANT FRANK PULCIANI'S ANSWERS TO PLAINTIFF STEVE BAUS' FIRST SET OF INTERROGATORIES**

A true and correct copy thereof addressed to:

SEE SERVICE LIST

PROOF OF SERVICE

I, Sekoya Pelayo, a non-attorney, under penalties as provided by law pursuant to Ill. Rev. Stat. Chap. 110 Sec. 1-109, hereby certify and state that the attached documents were sent to the designated attorneys by (X) ELECTRONIC MAIL () U. S. MAIL at 661 West Lake Street, Suite 2N, Chicago, Illinois, 60661, before 5:00 p.m., with proper postage prepaid on this 5th day of October, 2023.

Andreou & Casson, Ltd.
661 W. Lake Street, Suite 2N
Chicago, Illinois 60661
312.935.2000/ **312.935.2001**

/s/ Luke A. Casson
Luke A. Casson

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and Steven Baus**

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VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 5/1-109 of the Code of Civil Procedure, the undersigned certifies that the statements as set forth in this instrument are true and correct, except as to such matters stated to be on information and belief, and to such matters, the undersigned verily believes the same to be true.

Frank pulciani

Frank Pulciani

Signature:


Frank Pulciani (Oct 6, 2023 10:17 CDT)

002-360

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NORTHERN DISTRICT OF ILLINOIS
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CHERYLL CLEWETT and STEVE)	
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Plaintiff)	Honorable Andrea R. Wood
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NATIONAL POLICE & SHERIFFS)	
COALITION PAC, et. al.,)	
)	
Defendants)	

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and says that I served the attached:

Defendants response to RFP
Defendants response to Interrogatories
Defendants Signed Verification

A true and correct copy thereof addressed to:

SERVICE LIST ATTACHED

PROOF OF SERVICE

I, Michelle Jensen, a non-attorney, under penalties as provided by law pursuant to Ill. Rev. Stat. Chap. 110 Sec. 1-109, hereby certify and state that the attached documents were sent to the designated address by (X) ELECTRONIC MAIL on this 6th day of October, 2023

/S/Michelle Jensen
Michelle Jensen
Office Manager

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